

News Release



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U.S. Labor Department's MSHA levies \$163,000 in fines against Doe Run Co. *St. Louis-based mine operator fined in April death of truck driver*

ARLINGTON, Va. – The U.S. Department of Labor's Mine Safety and Health Administration (MSHA) today proposed \$163,000 in penalties against Doe Run Co. of St. Louis following a fatal accident last April at its Brushy Creek Mine and Mill in Bunker, Mo. James D. Jones, 40, was killed when the haul truck he was operating left the road and overturned. Brushy Creek Mine and Mill is an underground lead-zinc mine that employs 138 people.

"MSHA will not hesitate to assess stiff penalties against mine operators who fail to comply with safety and health regulations," said Richard E. Stickler, assistant secretary of labor for mine safety and health.

Jones had been assigned to haul broken rock from the mine's stockpile to the base of the tailings dam, a distance of about 0.7 miles. During one of his trips to dispose of the refuse materials, his truck began gaining speed as it descended the grade, left the road at a right-hand curve, rolled down the steep side slope and became partially submerged in a seep pond. Jones, who was not wearing a seat belt, apparently was ejected through the truck's windshield and killed as a result of crushing injuries.

Investigators determined that the accident occurred because management policies and procedures failed to ensure that all braking systems on the truck were maintained in a functional condition. The truck was traveling with defective brakes on a grade steeper than that recommended by the manufacturer. Berms were not maintained along the elevated portions of the road, and the failure of the driver to wear a seat belt contributed to the severity of his injuries.

Doe Run Co. was fined \$52,000 for failure to provide a berm or guardrail for a distance of about 200 feet along the outer edge of the elevated road, \$37,000 for failure to maintain the truck's engine brake in functional condition, \$37,000 for improper truck operation beyond the maximum grade recommended for the typical load it was carrying, and \$37,000 for failure of the truck driver to wear the seat belt provided in the truck, which resulted in fatal trauma injuries.

The mine operator has 30 days from receipt of the proposed assessment to pay or contest the penalty. If the operator contests the citations and orders, payment will be due 30 days after the Mine Safety and Health Review Commission renders a decision.

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